APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,435	09/27/2001	Daniel Blaukopf	P-3601-US	8777

7590 07/18/2005	EXAMINER
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ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/963,435	BLAUKOPF ET AL.
	Examiner	**Art Unit**	
	Dohm Chankong	2152	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 April 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/7/05</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1>   This action is in response to Applicant's amendment and remarks. Claim 20 has been

added. Claims 1-20 are now presented for further examination.

2>   This action is a final rejection.

Response to Arguments

3>   Applicant's arguments filed 4.7.2005 have been fully considered but they are not

persuasive. To overcome the prior art, Applicant has added new limitations in regards to a

first application launching a second application to the independent claims.

Applicant asserts that Aldred does not disclose a first application launching a second

application or passing command and event ports to the second application as part of

launching the second application. This assertion is not entirely accurate. Aldred clearly

discloses throughout his specification a first application launching a second application

[column 5 «lines 51-63» | column 11 «lines 27-39» | column 29 «lines 8-19» | column 36 «lines 3-

52»]. Notice also that Aldred's "launch" function includes sending parameters to the target

application; Aldred had disclosed earlier in the specification that it is the sending

application's responsibility to establish channels between itself and the receiving application

[column 6 «lines 16-32»]. Therefore it is obvious that these parameters included in the launch

function pertain to connection characteristics that help define the session between the

applications, these parameters being for instance ports and quality-of-service charactersistics

[column 6 «lines 39-49» | column 7 «lines 33-62» | column 12 «lines 57-61»].

4>   Applicant's arguments in regards to the Lahr reference have been considered but are

moot in view of the new grounds of rejections necessitated by Applicant's amendment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

5>   Claims 1, 12 and 20 are rejected under 35 U.S.C § 103(a) as being unpatentable over

Aldred et al, U.S Patent No. 5.719.942 ["Aldred"], in view of an Official Notice.

6>   Aldred discloses a method of communicating function calls or event notification

between two applications [column 12 «lines 44-51»], said method comprising:

a first application launching a second application wherein the launching of the second

application includes the first application passing an event port number and a command port

number to the second application [column 5 «lines 51-63» | column 6 «lines 39-49» | column 7

«lines 33-62» | column 12 «lines 57-61»column 11 «lines 27-39» | column 29 «lines 8-19» |

column 36 «lines 3-52» where: Aldred's basically discloses establishing channels between a

first and second application. The channels may be of different types depending on the ports

that are established as the channel's endpoint and Aldred discloses both event and command

ports and ports numbers. Aldred clearly discloses a "launch_app" function that is "issued by

an application"].

7>   Aldred does disclose storing a customization file in a repository, the file containing

configuration and start-up options as well as information relating to physical links but does

not explicilty disclose storing the port numbers. However, such functionality is well known

and ubiquitious in the art. In fact, it is inherent to Aldred that the port numbers are stored in

a memory accesible to both applications because Aldred discloses being able to alter ports and

channels after having been initially established [column 8 «lines 49-55» | column 12 «lines 36-

42»]. Therefore, the port and channel information must be stored in a place that can be

accessed by the applications in a manner that enables them to modify them as discloed by

Aldred. Therefore, Official Notice is taken it would have been obvious to one of ordinary

skill in the art to store the port numbers that are passed between Aldred's sending application

to the receiving application, for example in a main memory or secondary storage of the

workstation where the applications are located [column 3 «lines 61-67» | column 4 «lines 39-

43»]. One would have been motivated to perform such an implementation as storing

connection (port) information for applications is expected and well known in the art as it

allows the applications to maintain connection flexibility.

8>   As claim 12 is merely an article that performs the steps of the method of claim 1, it

does not teach of further define over the limitations of claim 1. Therefore, claim 12 is rejected

for the same reasons set forth in claim 1, supra.

9>   As to claim 20, Aldred discloses a device, comprising:

a processor [column 3 «lines 65-66»];

a memory coupled to the processor [column 3 «lines 65-67» | column 4 «lines 39-43»],

wherien the memory comprises program

instructions configured to implement:

the limitations of the method of claim 1 [see claim 1, supra].

10>   Claims 2-6, 8-11, 13-17, and 19 are rejected under 35 U.S.C § 103(a) as being unpatentable

over Aldred, in further view of Simonoff et al, U.S Patent No. 6.005.568 ["Simonoff"].

11>   As to claim 2, Aldred does not explicitly disclose the method comprising the second

application connecting a TCP/IP client socket to the event port.

12>   Connecting a TCP/IP socket to a port is well known and expected in the art. For

example, Simonoff discloses establishing a socket connection on a given port [column 8

«lines 63-65» | column 10 «lines 13-27»]. In addition, it is well known in the art that sockets

are commonly defined in part by a port address. Therefore, as Aldred discloses event ports as

endpoints to the two-way communication channel, it would have been obvious to one of

ordinary skill in the art to have reasonably inferred that TCP/IP socket functionality would

have been included in Aldred's system.

13>   As to claim 3, Aldred does not explicitly disclose the method comprising connecting a

TCP/IP client socket to the command port.

14>   Connecting a TCP/IP socket to a port is well known and expected in the art. For

example, Simonoff discloses establishing a socket connection on a given port [column 8

«lines 63-65» | column 10 «lines 13-27»]. In addition, it is well known in the art that sockets

are endpoints of a two-way communication link and are commonly defined in part by a port

address. Therefore, as Aldred discloses command ports as endpoints to the two-way

communication channel, it would have been obvious to one of ordinary skill in the art to

have reasonably inferred that TCP/IP socket functionality would have been included in

Aldred's system, and specifically, that establishment of the TCP/IP socket would connect to

both ports located on either end of the channel.

15>   As to claim 4, Aldred does disclose storing the connection parameters of streams

between applications [column 4 «lines 44-54» | column 7 «lines 44-62» | column 8 «line 56» to

column 9 «line 5»].

        It is well known in the art that sockets are endpoints of a two-way communication

link and are commonly defined in part by a port address. Therefore, as Aldred discloses event

ports as endpoints to the two-way communication channel, it would have been obvious to

one of ordinary skill in the art to have reasonably inferred that TCP/IP socket functionality

would have been included Aldred's system, and specifically, that the Aldred's stream

connection parameters (IP address, bandwidth, ports, quality of service, etc.) would be

applied to client sockets.

16>   As to claim 5, Aldred discloses the method of claim 2, further comprising passing a

function reference value through the command port connection [column 24 «lines 52-61»].

17>   As to claim 6, Aldred discloses the method of claim 3, further comprising passing a

function parameter through the command port connection [column 24 «lines 39-42»].

18>   As to claim 8, Aldred discloses the method of claim 2, further comprising passing an

event notification tag through event port connection [column 31 «line 59» to column 32 «line

67»].

19>   As to claim 9, Aldred discloses the method of claim 8, further comprising checking

the event port for an event notification tag [column 25 «lines 23-27» | column 30 «lines 48-51»

where: the command initiates monitoring for events at the port].

20>   As to claim 10, Aldred discloses the method of claim 9, further comprising checking

the command port in response to receiving an event notification tag [column 25 «line 53» to

column 26 «line 10»].

21>   As to claim 11, Aldred discloses the method of claim 9, passing through the event port connection an event port notification tag relating to the completion of a function [column 37 «lines 1-9»].

22>   As to claims 13-17 and 19, as they are merely articles that perform the steps of the method of claims 2-6 and 8, respectively, they do not teach or further define over the limitations of claims2-6 and 8. Therefore, claims 13-17 and 19 are rejected for the same reasons set forth for claims 2-6 and 8, supra.

23>   Claims 7 and 18 are rejected under 35 U.S.C § 103 (a) as being unpatentable over Aldred and Simonoff, in further view of Jalili et al, U.S Patent No. 5.423.042 ["Jalili"].

24>   Simonoff does disclose the method of claim 5 further comprising passing a value of memory location [column 36 «lines 34-37»] but does not specifically disclose storing a result of a function trigger by the passing of the function reference value.

25>   Jalili discloses passing a value of a memory location for storing result of a function trigger by the passing of the function reference value [abstract | column 10 «lines 33-48»]. It would have been obvious to one of ordinary skill in the art to incorporate Jalili's memory location for storing results of functions into Simonoff's pointer functionality to communicate to the second application where to store the results of a function.

26>   As claim 18 is merely an article that performs the steps of the method of claim 7, it

does not teach of further define over the limitations of claim 7. Therefore, claim 128is rejected

for the same reasons set forth in claim 7, <u>supra</u>.

27>

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942.

The examiner can normally be reached on 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

DC

Dung C. Dinh
Primary Examiner